



CITY OF ATLANTA  
OFFICE OF MUNICIPAL CLERK

RHONDA DAUPHIN JOHNSON, CMC  
MUNICIPAL CLERK

55 TRINITY AVENUE, S.W.  
SECOND FLOOR, EAST  
SUITE 2700  
ATLANTA, GEORGIA 30335  
(404) 330-6033  
FAX (404) 658-6103

October 26, 2000

William D. Temple, Sr.  
Attorney at Law  
3576 Covington Highway  
Suite 100  
Decatur, Ga 30032-1892

**00-R-1600**

RE: Jerri Duncan Gill

Dear Attorney Temple:

I sincerely regret that your client has been adversely affected by the circumstances raised in his/her claim for damages against the City of Atlanta. Your time and patience in this matter has been greatly appreciated.

However, I must notify you that the Atlanta City Council Adopted an Adverse Report on your client's claim at its regular meeting on October 26, 2000. In consultation with the City's Law Department, who conducted an investigation of the situation, the Council has determined that the City cannot accept responsibility for this matter and therefore cannot pay this claim.

If you desire any further information, please contact the **City Attorney's Office/Claims Division** at (404) 330-6400.

Yours very truly,

Rhonda Dauphin Johnson, CMC  
Municipal Clerk

**cc: Claims Division/Law Department**

RCS# 2337  
10/16/00  
8:35 PM

Atlanta City Council

Regular Session

MUTIPLE CLAIMS WITH FAVORABLE/Unfavor recommend  
ITEMS 1-29  
00-R-1600 ADOPT

YEAS: 13  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 1  
EXCUSED: 1  
ABSENT 1

Y McCarty	Y Dorsey	Y Moore	Y Thomas
Y Starnes	Y Woolard	B Martin	Y Emmons
Y Bond	Y Morris	Y Maddox	E Alexander
Y Winslow	Y Muller	Y Boazman	NV Pitts

MUTIPLE

**DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY**

Claim No. 00L0385

Date: September 28, 2000

Claimant /Victim JERRI DUNCAN GILL  
BY: (Atty) William D. Temple, Sr.  
Address: Suite 100, 3576 Covington Highway, Decatur, Georgia 30032-1892  
Subrogation: Claim for Property damage \$ Bodily Injury \$ 50,000.00  
Date of Notice: 06/09/00 Method: Written, proper X Improper         
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X  
Date of Occurrence 12/11/99 Place: Atlanta Airport MARTA Station  
Department Aviation Division:                       
Employee involved                                      Disciplinary Action:                                     

NATURE OF CLAIM: The claimant alleges she was injured when she fell on an escalator in the Airport MARTA Station. The investigation determined that this area is under the exclusive control of MARTA. The claim has been forwarded to MARTA for handling and the claimant's attorney has been notified of this action.

**INVESTIGATION:**

Statements: City employee        Claimant        Others        Written        Oral         
Pictures        Diagrams        Reports: Police        Dept Report        Other         
Traffic citations issued: City Driver        Claimant Driver         
Citation disposition: City Driver        Claimant Driver       

**BASIS OF RECOMMENDATION:**

Function: Governmental                                      Ministerial                                       
Improper Notice        More than Six Months        Other        Damages reasonable         
City not involved X Offer rejected                      Compromise settlement                       
Repair/replacement by Ins. Co.                                      Repair/replacement by City Forces                                       
Claimant Negligent                      City Negligent                      Joint                      Claim Abandoned                                     

Respectfully submitted,

  
INVESTIGATOR - DIANNE C. MITCHELL

**RECOMMENDATION:**

Pay \$                      Adverse X Account charged: 1A01        2J01        2H01         
Claims Manager:  Concur/date 09-28-00  
Committee Action:                                      Council Action

**TEMPLE, STRICKLAND & DINGES**  
**ATTORNEYS AT LAW**  
A PARTNERSHIP  
INCLUDING A PROFESSIONAL CORPORATION  
3576 COVINGTON HIGHWAY  
SUITE 100  
DECATUR, GEORGIA 30032-1892

*Mitchell*  
*06/13/00*  
*DM*

WILLIAM D. TEMPLE, SR., P.C.  
WILLIAM D. STRICKLAND  
WILLIAM A. DINGES  
JASON B. SCHWARTZ

ENTERED - 6-22-00 - SB  
00L0385 - DIANNE MITCHELL

TELEPHONE (404)296-6692  
FAX (404)296-6045

June 6, 2000

**Via Certified Mail No. Z 322 659 460**  
**Return Receipt Requested**

Norman Koplon, Commissioner  
City of Atlanta  
68 Mitchell Street  
Atlanta, GA 30335

Re: *Ante litem* Notice of Claim of Jerri Duncan Gill for Money Damages Against The City of Atlanta, Fulton County and Atlanta Airport Marta Station  
Date of Injury: December 11, 1999  
Our File No.: 3000.0178

Dear Mr. Koplon:

Pursuant to the provisions of O.C.G.A. §§36-33-5 and 36-11-1, please be advised that this law office has been retained to represent Jerri Duncan Gill in connection with injuries sustained as a result of an incident that occurred on the premises of the Atlanta International Airport Marta Station on December 11, 1999. This notice is being given within the time prescribed by law, and it is the intent of the parties to place the City and County on notice of the claims involved through this letter as prescribed by O.C.G.A. §§36-33-5 and 36-11-1.

The substance of the occurrence in question concerns the failure to properly and safely maintain the area coming off of the escalator near the Marta train entrance to the Airport. The injury occurred to Jerri Duncan Gill when she fell, seriously injuring her knee, requiring surgery and hospitalization.

As a result of this incident, Ms. Gill required hospitalization at South Fulton Medical Center. Surgery was performed on her and she has incurred medical expenses in excess of \$15,000.00 and continues to experience emotional and physical trauma as a result of this incident. Further, she has limited use of her knee and leg.

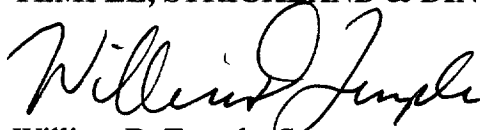
As of yet, we have not obtained Ms. Gill's full medical records and bills, and her prognosis has not been finalized. Nevertheless, we are in the process of gathering her bills and records and will be pleased to provide them to you upon receipt of same.

On behalf of Ms. Gill, I hereby request I be contacted by the proper authorities on behalf of the City of Atlanta and Fulton County to enter into settlement negotiations with respect to this claim. We anticipate that the damages eventually alleged will not be less than \$50,000.00.

Your prompt attention to this matter would be appreciated.

Very truly yours,

**TEMPLE, STRICKLAND & DINGES**



William D. Temple, Sr.

WDT/csw  
cc: Sue Maney, MARTA  
Jerri Duncan Gill

Entered - 06/22/00 - sb  
CL00L0385 - DIANNE C. MITCHELL

CLAIM OF: JERRI DUNCAN GILL,  
through her attorney,  
William D. Temple, Sr.  
Suite 100  
3576 Covington Highway  
Decatur, Georgia 30032-1892

00- R-1600

For damages alleged to have been sustained as a result of personal injuries  
received in a fall on an escalator at the Airport Marta Station on December  
11, 1999.

THIS ADVERSED REPORT IS APPROVED

BY: Rosalind R. Newell  
ROSALIND RUBENS NEWELL  
DEPUTY CITY ATTORNEY

Regular Report Agenda

ADVERSED CITY COUNCIL OCT 16 2000

ADVERSE REPORT

CC# 7.54 L.A.

10/16/00

Claudia Hinson

Shirley

Danny Smith  
Clerk

